

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Hector Fabian Soto,

Case No. 25-CV-01375 (JMB/JFD)

Petitioner,

v.

**ORDER**

B. Eischen, FPC Duluth, and FBOP,

Respondents.

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Hector Fabian Soto, FPC-Duluth, Duluth, MN, self represented.

Adam J. Hoskins and Ana H. Voss, United States Attorney's Office, Minneapolis, MN,  
for Respondents B. Eischen, FPC Duluth, and FBOP.

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This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Judge John F. Docherty dated June 3, 2025. (Doc. No. 7.) The R&R recommends that Hector Fabian Soto's petition for writ of habeas corpus be denied without prejudice for failure to exhaust administrative remedies. Neither party has objected to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 7) is ADOPTED.
2. The Petition (Doc. No. 1) is DENIED.

3. Soto's application to proceed in forma pauperis (Doc. No. 4) is DENIED.

4. The Court dismisses this action without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 21, 2025

/s/ Jeffrey M. Bryan  
Judge Jeffrey M. Bryan  
United States District Court